# Attorney Docket No. 14288.1USU1

#### MERCHANT & GOULD P.C.

#### **United States Patent Application**

#### COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my ename; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: SOLID-STATE NIICLEAR MAGNETIC RESONANCE PROBE

NUCLEAR MAGNETIC RESON.	ANCE PROBE		
The specification of which a. is attached hereto b. was filed on February 4, 200 application) described and claimed solicit a United States patent.			(if applicable) (in the case of a PCT-filed any), which I have reviewed and for which I
I hereby state that I have reviewed any amendment referred to above.	and understand the contents of	of the above-identified specifica	ation, including the claims, as amended by
	so identified below any foreig		reign application(s) for patent or inventor's entor's certificate having a filing date before
<ul><li>a.  ☐ no such applications have been</li><li>b. ☐ such applications have been</li></ul>			
FOR	EIGN APPLICATION(S), IF ANY	, CLAIMING PRIORITY UNDER 3	95 USC § 119
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FORE	IGN APPLICATION(S), IF ANY,	FILED BEFORE THE PRIORITY	APPLICATION(S)
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
below and, insofar as the subject n	natter of each of the claims of	this application is not disclosed	nd PCT international application(s) listed d in the prior United States application in the

below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/445,288	04 FEBRUARY 2003

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

#### § 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

All, M. Jeffer Altera, Allan G. Reg. No. 40,274 Anderson, Gregg I. Reg. No. 40,274 Anderson, Gregg I. Reg. No. 28,288 Batzli, Brian H. Reg. No. 23,2960 Leonard, Christopher J. Reg. No. 23,188 Batzli, Brian H. Reg. No. 27,612 Lewis, George C. Reg. No. 30,214 Beard, John L. Reg. No. 47,226 Berns, John M. Reg. No. 43,496 Berns, John M. Reg. No. 43,496 Berns, John M. Reg. No. 51,888 Blackburn, Murrell W. Reg. No. 50,881 Blackburn, Murrell W. Reg. No. 51,888 Mueller, Douglas P. Reg. No. 40,221 Bortolotti, Rebecca Reg. No. 31,488 Mueller, Douglas P. Reg. No. 30,300 Rrown, Jeffrey C. Reg. No. 34,430 Pauly, Daniel M. Reg. No. 49,935 Bruess, Steven C. Reg. No. 34,430 Pauly, Daniel M. Reg. No. 49,935 Byrne, Linda M. Reg. No. 32,404 Phillips, John B. Reg. No. 40,989 Byrne, Linda M. Reg. No. 30,247 Reg. No. 30,247 Reg. No. 31,488 Reg. No. 40,247 Daignault, Ronald A. Reg. No. 32,404 Reg. No. 30,247 Reg. No. 48,699 Reich, John C. Reg. No. 31,494 Reg. No. 30,247 Reg. No. 48,699 Reich, John C. Reg. No. 34,944 Rej. John B. Reg. No. 52,5968 Relland, Earl D. Reg. No. 52,767 Daley, Dennis R. Reg. No. 34,944 Schmann, Michael D. Reg. No. 39,624 Reg. No. 30,6414 Schumann, Michael D. Reg. No. 30,422 Reg. No. 30,6414 Schumann, Michael D. Reg. No. 30,422 Reg. No. 48,957 Schuman, Michael D. Reg. No. 31,187 DeVries Smith, Katherine M. Reg. No. 42,157 Reg. No. 40,217 Sebald, Gregory A. Reg. No. 39,667 Slotl-Debell, Kirstin L. Reg. No. 59,667 Slotl-Debell, Kirstin L. Reg. No. 59,676 Slotl-Debell, Kirstin L. Reg. No. 50,470 Reg. No. 33,112 Reg. No. 44,722 Underhill, Albert L. Reg. No. 47,299 Reg. No. 44,724 Reg. No. 47,991 Reg. No. 47,991 Reg. No. 48,995 Reg. No. 31,183 Reg. No. 49,944 Reg. No. 51,476 Reg. No. 51,477 Reg. No. 20,187 Reg. No. 22,176 Reg. No. 51,477 Reg. No. 22,176 Reg. No. 50,470 Reg. No. 51,470 Reg. No. 5	A11 NA TaCCan	Da- No. 46.250		
Anderson, Gregg L.  Reg. No. 28,828  Leach III, Thomas J.  Reg. No. 53,184  Baztal, Brian H.  Reg. No. 32,960  Leonard, Christopher J.  Reg. No. 53,214  Bennet-Paris, Joseph M.  Reg. No. 47,226  Bennet-Paris, Joseph M.  Reg. No. 47,226  Bennet-Paris, Joseph M.  Reg. No. 43,496  McDonald, Daniel W.  Reg. No. 32,044  Blackburn, Murrell W.  Reg. No. 50,881  McIntyre, Jr., William F.  Reg. No. 32,044  Blackburn, Murrell W.  Reg. No. 51,488  Mueller, Douglas P.  Reg. No. 32,044  Blackburn, Murrell M.  Reg. No. 43,496  Brown, Jeffrey C.  Reg. No. 34,130  Brown, Jeffrey C.  Reg. No. 34,130  Brown, Jeffrey C.  Reg. No. 34,130  Brues, Steven C.  Reg. No. 32,404  Phillips, John B.  Reg. No. 32,044  Phillips, John B.  Reg. No. 37,006  Clifford, John A.  Reg. No. 30,0247  Randall, Joshua N.  Reg. No. 30,0247  Randall, Joshua N.  Reg. No. 36,414  Reg. No. 34,994  Schmaltz, David G.  Baley, William J.  Reg. No. 36,414  Schumatn, Michael D.  Reg. No. 36,414  Schumatn, Michael D.  Reg. No. 31,208  Selland, Earl D.  Reg. No. 31,208  Scull, Timothy B.  Reg. No. 42,157  Sebald, Gregory A.  Reg. No. 48,957  Sorge, Keith M.  Reg. No. 43,926  Silvian, Timothy B.  Reg. No. 43,926  Sorge, Keith M.  Reg. No. 48,957  Sorge, Keith M.  Reg. No. 43,916  Stewart, Alan R.  Reg. No. 48,957  Sorge, Keith M.  Reg. No. 43,916  Reg. No. 48,957  Sorge, Keith M.  Reg. No. 48,957  Sorge, Keith M.  Reg. No. 43,916  Reg. No. 48,957  Sorge, Keith M.  Reg. No. 43,916  Reg. No. 47,974  Reg. No. 33,112  Welter, David D.  Reg. No. 33,124  Reg. No. 33,112  Welter, David D.  Reg. No. 33,942  Reg. No. 34,944  Reg. No. 34,944  Schmaltz, David G.  Reg. No. 36,144  Schumatn, Michael D.  Reg. No. 36,414  Schumatn, Michael D.  Reg. No. 36,414  Schumatn, Michael D.  Reg. No. 37,075  Sebald, Gregory A.  Reg. No. 42,157  Sebald, Gregory A.  Reg. No. 42,157  Sebald, Gregory A.  Reg. No. 42,157  Sebald, Gregory A.  Reg. No. 43,975  Sorge, Keith M.  Reg. No. 43,975  Sorge, Keith M.  Reg. No. 43,945  Servart, Alan R.  Reg. No. 47,944  Reg. No. 31,148  Reg. No. 31,148  Re	Ali, M. Jeffer	Reg. No. 46,359	Lauar Doolein T	Dec No. 47 725
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Edell, Robert T.         Reg. No. 20,187         Stewart, Alan R.         Reg. No. 47,974           Epp Ryan, Sandra         Reg. No. 39,667         Stoll-DeBell, Kirstin L.         Reg. No. 43,164           Fitzsimmons, Karen A.         Reg. No. 50,470         Strouse, Thomas J.         Reg. No. 53,950           Frost, Roger T.         Reg. No. 22,176         Sullivan, Timothy         Reg. No. 47,981           Golla, Charles E.         Reg. No. 26,896         Swenson, Erik G.         Reg. No. 45,147           Gorman, Alan G.         Reg. No. 38,472         Trembath, Jon R.         Reg. No. 33,444           Gorld, John D.         Reg. No. 18,223         Wahl, John R.         Reg. No. 27,403           Gould, John D.         Reg. No. 33,112         Welter, Paul A.         Reg. No. 20,890           Haack, John L.         Reg. No. 36,154         Wier, David D.         Reg. No. 48,229           Hamme, Curtis B.         Reg. No. 29,165         Williams, Douglas J.         Reg. No. 27,054           Hennings, Mark         Reg. No. 48,982         Wong, Bryan A.         Reg. No. 50,836           Hertzberg, Brett A.         Reg. No. 42,660         Zeuli, Anthony R.         Reg. No. 50,836           Hornsby, III, Alton         Reg. No. 47,299         Reg. No. 47,299           Jacobson, Charles A.         Reg. No. 33,924			<del>-</del> -	
Epp Ryan, Sandra         Reg. No. 39,667         Stoll-DeBell, Kirstin L.         Reg. No. 43,164           Fitzsimmons, Karen A.         Reg. No. 50,470         Strouse, Thomas J.         Reg. No. 53,950           Frost, Roger T.         Reg. No. 22,176         Sullivan, Timothy         Reg. No. 47,981           Golla, Charles E.         Reg. No. 26,896         Swenson, Erik G.         Reg. No. 45,147           Gorman, Alan G.         Reg. No. 38,472         Trembath, Jon R.         Reg. No. 38,344           Gotfredson, Garen J.         Reg. No. 18,223         Wahl, John R.         Reg. No. 27,403           Gould, John D.         Reg. No. 31,12         Welter, Paul A.         Reg. No. 20,890           Haack, John L.         Reg. No. 36,154         Wier, David D.         Reg. No. 24,229           Harmre, Curtis B.         Reg. No. 29,165         Williams, Douglas J.         Reg. No. 27,054           Hennings, Mark         Reg. No. 48,982         Wong, Bryan A.         Reg. No. 50,836           Hertzberg, Brett A.         Reg. No. 42,660         Zeuli, Anthony R.         Reg. No. 45,255           Hillson, Randall A.         Reg. No. 47,299         Reg. No. 44,774         Reg. No. 47,299           Jacobson, Charles A.         Reg. No. 48,995         Johnston, Stoch W.         Reg. No. 51,894           Kettelberger,	· ·		- ·	
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Haack, John L.       Reg. No. 36,154       Wier, David D.       Reg. No. 48,229         Hamre, Curtis B.       Reg. No. 29,165       Williams, Douglas J.       Reg. No. 27,054         Hennings, Mark       Reg. No. 48,982       Wong, Bryan A.       Reg. No. 50,836         Hertzberg, Brett A.       Reg. No. 42,660       Zeuli, Anthony R.       Reg. No. 45,255         Hillson, Randall A.       Reg. No. 31,838       Reg. No. 44,774         Hornsby, III, Alton       Reg. No. 47,299       Feel No. 48,995         Jacobson, Charles A.       Reg. No. 53,061       Feel No. 48,995         Johnston, Scott W.       Reg. No. 39,721       Feel No. 30,471         Kalinsky, Robert A.       Reg. No. 33,924       Feel No. 21,197         Korver, Joshua W.       Reg. No. 21,197       Feel No. 51,894         Kowalchyk, Alan W.       Reg. No. 30,848         Lamberty, Michael       Reg. No. 50,760			· ·	_
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Hornsby, III, Alton Reg. No. 47,299 Jacobson, Charles A. Reg. No. 53,061 Johns, Nicholas P. Reg. No. 39,721 Kalinsky, Robert A. Reg. No. 50,471 Kettelberger, Denise Reg. No. 33,924 Knearl, Homer L. Reg. No. 21,197 Korver, Joshua W. Reg. No. 51,894 Kowalchyk, Alan W. Reg. No. 36,848 Lamberty, Michael Reg. No. 50,760	· · · · · · · · · · · · · · · · · · ·			
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Laisul, Janies A. Reg. 140, 40,445	• •			
	Larson, James A.	10g. 110. 40,443		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

## Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name MUNSON	First Given Name ERIC	Second Given Name JON
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Sign	ature of Inventor 2	01: W L M	<u></u>	Date: 6/19/04
	Full Name	Family Name	First Given Name	Second Given Name
2	Of Inventor	OFFERDAHL	THOMAS	JAMES
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Sign	ature of Inventor 2	102: Nomes James V		Date: 6/30/04
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Sign	ature of Inventor 2	203:		Date: 4/30/04

23552
PATENT TRADEMARK OFFICE



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

MUNSON ET AL.

Examiner:

UNKNOWN

Serial No.:

10/772,778

Group Art Unit:

2862

Filed:

**FEBRUARY 4, 2004** 

Docket No.:

14288.1USU1

Title:

SOLID-STATE NUCLEAR MAGNETIC RESONANCE PROBE

# REQUEST FOR RECOGNITION OF PATENT PRACTITIONERS AS BEING OF RECORD, UNDER RULE 37 C.F.R. § 1.32(c)(3)

Because the Power of Attorney named more than ten patent practitioners, this paper is being submitted to indicate that the following patent practitioners are to be recognized by the Office as being of record:

Matthew A. Doscotch	48,957	Joshua N. Randall	50,719
Mark Deffner	55,103	Anna M. Nelson	48,935
Robert A. Kalinsky	50,471	Erik G. Swenson	45,147
Mark T. Skoog	40,178	Katherine M. DeVries Smith	42,157
Denise M. Kettelberger	33,924	Thomas Leach	53,188

Respectfully submitted,

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Date July 6, 2004

Matthew A. Doscotch

Reg. No. 48,957

MAD:PLStdm

23552

PATENT TRADEMARK OFFICE